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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/653,614	08/31/2000	Gregory L. Slaughter	5181-67400	4149

7590

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EXAMINER

NGUYEN, VAN H

ART UNIT

PAPER NUMBER

2126

DATE MAILED: 02/12/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.  
09/653,614

Applicant(s)  
SLAUGHTER et al.

Examiner  
VAN H. NGUYEN

Art Unit  
2126



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on Nov 18, 2002
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-50 is/are pending in the application.
- 4a) Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-50 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some\* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). \_\_\_\_\_ 6) ☐ Other:

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### **DETAILED ACTION**

1. This Office Action is in response to request for reconsideration filed November 12, 2002. Claims 1-50 remain in this application.

#### ***Information Disclosure Statement***

2. Pursuant to the extensive amount of prior art cited by Applicant in the IDS (papers # 3,4,5, and 9) the Office has only been able to conduct a cursory review of the documents. The substantive relevancy of each reference cannot be properly considered due to the voluminous quantity of material referenced. Consequently, if the disclosed information is to be fairly analyzed, in accordance with 37CFR1.98b Applicant should provide "relevant pages of the publication[s]" in order that each items relevancy is properly considered. Applicant should point out the portion of each reference as it relates to respective claim limitations so that the relevancy of each document is adequately assessed.

Also, none of the referenced documents are in the Application file. Hence, request is hereby made that Applicant submit copies of the relevant materials for proper consideration.

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***Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in

(1)an application for patent, published under section 122(b),by another filed in the United States before the invention by the applicant for patent or

(2)a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a)shall have the effects for the purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2)of such treaty in the English language; or " (Emphasis added.)

Claims 1-50 are rejected under 35 U.S.C. 102(e) as being anticipated by **Rosenberg et al.**

(U.S.6,446,108 B1).

**As to claims 1, 14, and 26**, Rosenberg teaches a method comprising:

- a client (a client; col.2, lines 60-67) accessing (find; col.2, lines 60-67) a space service (a server that provides a service; col.2, lines 60-67) according to a schema (a specific destination Database; col.4, lines 51-67) for the space service, wherein the space service is operable to store one or more service advertisements (service advertisement; col.5, lines 18-31) in a space, wherein each of the service advertisements comprises information (the policy attributes; col.5, lines 18-31) which is usable to access a corresponding service (particular service; col.5, lines 55-67), and wherein the space service is configured to provide functions (listens to a particular multicast

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address to find out services, answers client queries for the services it knows about; col.5, lines 55-67) to manage or access the one or more service advertisements in the space, wherein the functions of the space service are invoked according to the schema for the space service which specifies one or more messages for invoking functions of the space service (col.5, lines 55-67);

- the client selecting (a client...seeking a particular service; abstract) one of the service advertisements from the space; and the client using the information from the selected service advertisement to execute (obtain the service desired; abstract) the corresponding service.

**As to claims 2 and 27**, Rosenberg teaches (col.3, lines 18-26) the client sending messages (send messages) to the space service at a Uniform Resource Identifier (a URL; col.5, lines 1-7).

**As to claims 3 and 28**, Rosenberg teaches (col.4, lines 51-67) the space service comprises a schema (a specific destination Database), wherein the schema specifies one or more messages (service requests) usable to invoke functions of the space service.

**As to claims 4 and 29**, Rosenberg teaches (col.5, lines 8-31) the schema is expressed in a data representation language (can have various attributes).

**As to claims 5 and 30**, “the data representation language comprises eXtensible Markup Language” is inherent to the system of Rosenberg.

**As to claims 6 and 31**, Rosenberg teaches (col.5, lines 55-67) the schema specifies messages usable to read (listens) advertisements from the space and publish (answers) advertisements in the space.

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**As to claims 7 and 32**, Rosenberg teaches (col.3, lines 22-26) the client accessing the space service comprises the client sending (send) at least one of the messages (messages) specified in the schema to the space service.

**As to claims 8 and 33**, Rosenberg teaches (abstract) the client accessing the space service comprises the client searching (locate; queries) the one or more service advertisements stored in the space.

**As to claims 12 and 37**, Rosenberg teaches generating results in response client (provide some service desired by the client) to the executing the corresponding service for the selected service advertisement for the; and publishing (provide service information to the client) the results in a network-addressable location, wherein information usable to access the network-addressable location is provided in an advertisement for the network addressable-location (col.6, lines 1-26).

**As to claims 13 and 38**, Rosenberg teaches the client sending (accepts service requests and service type requests from clients) an instantiation request to the space after the selecting one of the service advertisements from the space; obtaining a lease for the corresponding service for the selected service advertisement; sending the lease and the selected service advertisement to the client; and constructing a gate for the client to access the corresponding service (col.5, lines 1-67).

**As to claim 15**, refer to claim 3 above for rejection

**As to claim 19**, refer to claim 6 above for rejection.

**As to claim 20**, refer to claim 8 above for rejection.

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**As to claims 24-25**, refer to claims 12-13 above for rejection.

**As to claims 9 and 34**, refer to claim 2 above for rejection.

**As to claims 10 and 35**, refer to claim 4 above for rejection.

**As to claims 11 and 36**, refer to claim 5 above for rejection.

**As to claim 16**, refer to claim 2 above for rejection.

**As to claim 17**, refer to claim 4 above for rejection.

**As to claim 18**, refer to claim 5 above for rejection.

**As to claim 21**, refer to claim 9 above for rejection.

**As to claim 22**, refer to claim 10 above for rejection.

**As to claim 23**, refer to claim 11 above for rejection.

**As to claims 39, 43, and 47**, Rosenberg teaches (col.5, lines 1-67) a method comprising:

- storing a set of information (a data base listing available services...provide service information to the client; col.6, lines 1-26) in a space by sending at least one message (the message; col.6, lines 1-26) specified in a schema (a database) for the space, wherein the schema specifies a plurality of messages usable to invoke functions of the space, wherein the set of information is expressed in a data representation language, and wherein the space is addressable at a Uniform Resource Identifier (a Broker offering a media server broker service may use a URL; col.5, lines 1-11);

- a client (a client; col.2, lines 59-67) locating (find a server; col.2, lines 59-67) the space at the URI;

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- the client retrieving the set of information (obtain the service desired; abstract) expressed in the data representation language (definition of specific attributes; col.2, lines 59-67) from the space by sending (send; col.3, lines 22-26) at least one of the messages (messages; col.3, lines 22-26) specified in the schema for the space.

**As to claims 40, 44, and 48,** refer to claim 5 above for rejection.

**As to claims 41, 45, and 49,** "the space comprises one or more web pages which are viewable by a web browser" is inherent to the system of Rosenberg.

**As to claims 42, 46, and 50,** refer to claim 3 above for rejection.

### ***Response to Arguments***

4. Applicants' arguments with respect to claims 1-50 have been considered but are moot in view of the new ground(s) rejection.

Applicants arguments presented issues which required the Examiner to further view the previous rejection. The Examiner conducted a further search regarding the issues mentioned in Applicant's response. Therefore, all arguments regarding the cited references of the previous rejection are moot in view of the new grounds of rejection.



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*Conclusion*

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to VAN H NGUYEN whose telephone number is (703) 306-5971. The examiner can normally be reached on Monday-Thursday from 8:30AM - 6:00PM. The examiner can also be reached on alternative Friday.

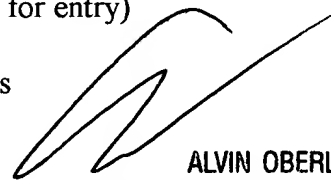
Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-9000.

**Any response to this action should be mailed to:**

Commissioner of Patents and Trademark  
Washington, DC 20231

**or fax to:**

(703) 746-7239 (for formal communications intended for entry)  
(703) 746-7238 (for After Final communications)  
(703) 746-7140 (for informal or draft communications)



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02/04/03